

MEMORANDUM

Agenda Item No. 8(N)(30)

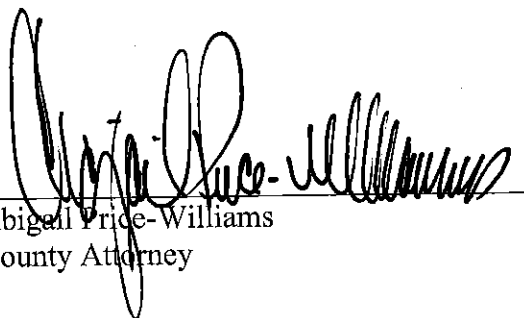
TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Resolution approving a maintenance map for a portion of SW 184 Street (Eureka Drive) between SW 182 Avenue and 940 feet West of SW 177 Avenue (State Road No. 997) in Section 36 Township 55 South Range 38 East, authorizing the Chairman and the Clerk of the Board to certify the maintenance map and authorizing the County Mayor to record same among the public records of Miami-Dade County Florida and to take all actions necessary to effectuate same

The accompanying resolution was prepared by Transportation and Public Works Department and placed on the agenda at the request of Prime Sponsor Commissioner Dennis C. Moss.



Abigail Price-Williams
County Attorney

APW/lmp

Memorandum



Date: November 1, 2016

To: Honorable Chairman Jean Monestime
and Members, Board of County
Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Resolution Approving a Maintenance Map for a Portion of SW 184 Street (Eureka Drive) Between SW 182 Avenue and 940 feet West of SW 177 Avenue (State Road No. 997) in Sections 36, Township 55 South, Range 38 East, Authorizing the Chairman and the Clerk of the Board to Certify the Maintenance Map, and Authorizing the Recording Thereof Among the Public Records of Miami-Dade County, Florida

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution approving a Maintenance Map for a portion of SW 184 Street (Eureka Drive) between SW 182 Avenue and 940 feet West of SW 177 Avenue (State Road No. 997), authorizing the Chairman and the Clerk of the Board of County Commissioners to certify the same, and authorizing the recordation thereof in the Public Records of Miami-Dade County (County), Florida.

Scope

The subject road is located within Commissioner Dennis C. Moss' District 9.

Fiscal Impact/Funding Source

There is currently no increase in maintenance costs to the County as a result of this action.

Track Record/Monitor

The Department of Transportation and Public Works (TPW) is the entity overseeing this project and the person responsible for monitoring this conveyance is Mr. Leandro Oña, P.E., Chief of the Roadway Engineering and Right-of-Way Division.

Background

Southwest 184 Street between SW 182 Avenue and 940 feet West of SW 177 Avenue (State Road No. 997) has been constructed and maintained continuously by the County for a period over four (4) years. Therefore, in accordance with Section 95.361 of the Florida Statutes, title to a road maintained by the County for over four (4) years shall be deemed to be dedicated to the public and vests in the County. Pursuant to such statute, the filing of a maintenance map in the Office of the Clerk of the Court, which has been certified by the Chairman and the Clerk of the Board is deemed prima facie evidence of that ownership by the County.

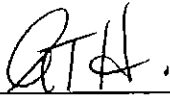
The subject Maintenance Map has been executed by the Chief of the Road, Bridge and Canal Maintenance Division of TPW, thereby certifying that the County has maintained this road for over four (4) years. It is recommended that the attached Maintenance Map be approved by the Board, after which it will be certified by the Chairman and the Clerk of the Board and recorded in

Honorable Chairman Jean Monestime
and Members, Board of County Commissioners
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the Public Records of Miami-Dade County, Florida, in accordance with Section 95.361 of the Florida Statutes.

Both the original and a reproducible of the Maintenance Map are to be executed by the Chairman and Clerk of the Board and returned to TPW for recording in the Public Records of Miami-Dade County, Florida.

Attachment

A handwritten signature in black ink, appearing to read 'ATH', is written over a horizontal line.

Alina T. Hudak
Deputy Mayor



MEMORANDUM

(Revised)

TO: Honorable Chairman Jean Monestime
and Members, Board of County Commissioners

DATE: November 1, 2016

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 8(N)(30)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(N)(30)
11-1-16

RESOLUTION NO. _____

RESOLUTION APPROVING A MAINTENANCE MAP FOR A PORTION OF SW 184 STREET (EUREKA DRIVE) BETWEEN SW 182 AVENUE AND 940 FEET WEST OF SW 177 AVENUE (STATE ROAD NO. 997) IN SECTION 36 TOWNSHIP 55 SOUTH RANGE 38 EAST, AUTHORIZING THE CHAIRMAN AND THE CLERK OF THE BOARD TO CERTIFY THE MAINTENANCE MAP AND AUTHORIZING THE COUNTY MAYOR OR MAYOR'S DESIGNEE TO RECORD SAME AMONG THE PUBLIC RECORDS OF MIAMI-DADE COUNTY FLORIDA AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE SAME

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference; and

WHEREAS, the Director of the Department of Transportation and Public Works has recommended that an Official Maintenance Map be filed of record to indicate prima facie evidence of ownership, pursuant to the provisions of Section 95.361 of the Florida Statutes and the County Mayor has concurred in such recommendation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. This Board adopts and incorporates the matters set forth in the foregoing recitals.

Section 2. This Board approves the Maintenance Map for a portion of SW 184 Street (Eureka Drive) between SW 182 Avenue and 940 feet West of SW 177 Avenue (State Road No. 997), authorizes the Chairman and the Clerk of the Board to certify same pursuant to Section 95.361 of the Florida Statutes, and directs the County Mayor or Mayor's designee to file same with the Clerk of the Circuit Court of Miami-Dade County, and to take all actions necessary to effectuate same.

Section 3. Pursuant to Resolution R-974-09, this Board (a) directs the County Mayor or County Mayor's designee to record any instruments executed in connection herewith which create or reserve a property interest in favor of the County, in the Public Records of Miami-Dade County, Florida; and to provide a recorded copy of instruments to the Clerk of the Board within thirty (30) days of execution of said instruments; and (b) directs the Clerk of the Board to attach and permanently store a recorded copy of said instruments together with this resolution.

The foregoing resolution was offered by Commissioner
who moved its adoption. The motion was seconded by Commissioner
and upon being put to a vote, the vote was as follows:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of November, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk


Approved by County Attorney as
to form and legal sufficiency.



Debra Herman


AFFIDAVIT

THIS IS TO CERTIFY THAT I, Antolin Ruiz, Jr., Chief of Road, Bridge and Canal Maintenance Division of the Miami-Dade County Department of Transportation and Public Works has determined, to the best of my knowledge, that Miami-Dade County road forces have maintained the pavement and road shoulders along SW 184th St (Eureka Drive) between SW 182nd Avenue and 940 feet West of SW 177th Avenue (SR 997), as shown cross hatched on the attached map, in unincorporated Miami-Dade County, for at least four (4) years.


Antolin Ruiz, Jr., Chief
Road, Bridge and Canal Maintenance Division
Department of Transportation and Public Works

STATE OF FLORIDA
COUNTY OF DADE

The foregoing instrument was acknowledged before me this 21 day of October, 2015 by Antolin Ruiz, Jr., who is personally known to me and who did take and oath.


NOTARY PUBLIC STATE OF FLORIDA

MY COMMISSION EXPIRES: 4/20/2016

COMMISSION/SERIAL NO. EE189037

